LEGAL ARGUMENTS & EVIDENCE BRIEF

DOCUMENT 3 OF 4 — Structured Legal Arguments by Claim

CLAIM A — UNLAWFUL ARREST & FALSE IMPRISONMENT

Legal Basis

Under PACE 1984 s.24, a constable may arrest without warrant only if they have reasonable grounds to suspect involvement in an offence AND reasonably believe arrest is necessary (Code G). The arrest on 15 April 2025 was based on allegations from a neighbour (Bea) who had herself committed documented racial abuse (Log 2) and whose conduct of parking outside the claimant's property for over two hours at 1 AM (Log 27) is factually inconsistent with being in genuine fear. The arresting officers failed to investigate these prior complaints (CRN 43250203109 and others) before proceeding. PC Lacey confirmed she was unaware of prior harassment reports — a statement contradicted by the existence of multiple CRNs on the police system.

Evidence

Log 25: No warrant, force used, no PACE inventory. Log 27: Bea's conduct inconsistent with stated fear. Log 2: Prior racial abuse by Bea documented. Log 73: PC Lacey denies knowledge of claimant's harassment reports. CRN 43250203109: Exists on police system prior to arrest and bail hearing. Log 210/218: Bail conditions removed as unnecessary — police did not defend them. Log 391: Attendance requirement confirmed as having no judicial mandate.

Claim Value

False imprisonment, unlawful entry, assault (threatened force), trespass to goods (seizure without inventory), aggravated by knowledge of medical vulnerability. General damages, aggravated damages, special damages (medical costs, court fees).

CLAIM B — UNLAWFUL RETENTION OF PROPERTY (CONVERSION)

Legal Basis

Under PACE s.22, property seized in connection with an investigation may only be retained so long as it is needed for a trial or for use as evidence. The Crown Prosecution Service confirmed in writing (Log 362/367) that no case had been referred to them. The court ordered return of phones on 30 June 2025 (Log 484). Police refused (Log 486). TVP Legal confirmed in writing they would continue retaining phones (Log 491). The NFA notice of 22 July 2025 (Log 677) confirms the investigation is complete, destroying the PACE s.22 justification. Continued retention constitutes conversion. The High Court principle in Ghani v Jones [1970] 1 QB 693 confirms that once the need for retention ceases, property must be returned. The civil claim KB-2025-003308 is active.

Evidence

Log 362/367: CPS confirms no case referral. Log 484: Court Order for return. Log 486: Police refusal. Log 491: TVP Legal written refusal. Log 677: NFA notice. Log 682: Investigation declared closed day after police argued it was ongoing. Log 1229: Master Davison extends claim to March 2026. Log 1255: Drewe refuses digital BWV copies — Buzzard-Quashie authority cited (Log 1279).

Contempt Proceedings

N600 applications filed in both Magistrates' Court (Log 488) and High Court (Log 528-529). Private prosecutions initiated: PC Whitburn for harassment (Log 479/481), PC Lacey for theft/misconduct (Log 490), Sgt Gleave for contempt (Log 548-550), Insp. Gidda for disobedience of lawful order (Log 583).

CLAIM C — POLICE PERJURY & MISCONDUCT IN PUBLIC OFFICE

PC Harriet Lacey (P4867)

On 2 May 2025 at Reading Magistrates' Court, PC Lacey was asked by the Magistrate whether she was aware of harassment reports filed by the claimant against the neighbours. She replied 'No.' This was false. Logs 2, 7, 26, 46, 47 and CRN 43250203109 all existed on police systems before this hearing. This constitutes Perjury under s.1 Perjury Act 1911 and Misconduct in Public Office. Formal indictment filed (Log 112). IOPC complaint submitted (Log 86).

David Drewe — Kennedys Law LLP

On 12 August 2025, Drewe stated the NFA letter was 'sent in error' (Log 734). On 13 August 2025, he swore an affidavit stating it was 'more likely than not that the letter was not actually sent' (Log 734). These are mutually exclusive statements. He later admitted TVP's position was 'still unclear' (Log 735). SRA complaint filed (Log 694/695). The contradiction has been formally placed before the High Court (Log 912/913).

Insp. Natasha Gidda — Anonymous Email

An anonymous email sent to MP Jack Rankin purporting to be from the officer in the case was revealed to have been sent by Insp. Gidda citing Sgt Gleave via hearsay (Log 567). This constitutes a breach of the duty of candour to a Member of Parliament and obfuscation of command accountability.

CLAIM D — ABRI GROUP: CORPORATE NULLITY & MALADMINISTRATION

Corporate Nullity Argument

The County Court injunction proceedings (M02RG003) were issued in the name of 'Abri Group Limited' (Company No. 03482228). This company is listed on Companies House as 'Converted / Closed' since 15 January 2021 (Log 1112). The operating entity is a Community Benefit Society registered as No. RS008537. The authority in Lazard Bros & Co v Midland Bank Ltd [1933] AC 289 and related case law confirms that proceedings brought by a non-existent entity are a nullity and cannot be cured by amendment. HHJ Davies conflated the two entities in his refusal of permission (Log 1249). The oral reconsideration (12 February 2026) focuses on this single issue — the Company Number discrepancy on the face of the Claim Form.

Pre-Determination

Abri's solicitor Karolyn Barta wrote to the claimant on 18 November 2025 (received 25 November 2025 — Log 1208-1209) stating he was 'currently subject to contact restrictions.' The court did not grant the interim order until 19 November 2025. This letter proves that Abri (and/or the court) acted as though the order was already granted before the hearing. This vitiates the hearing for apparent bias and breach of Article 6 ECHR (fair trial). Independent legal advice confirms this analysis (Log 1210). The barta letter also states the ASB case was closed on 18 November — the same day Barta told the court the matter was urgent (Log 1208 — the Barta Paradox).

Failure to Address Hate Crime

Abri received the Gillani witness statement (Log 512) but refused to investigate unless the claimant agreed to unconditional cooperation (Log 534/535). When the claimant conditioned consent on transparency (being copied on all communications with police), Abri refused and threatened to close the case (Log 598). Abri's Stage 2 complaint response offered £50 for 'communication delays' while ignoring substantive racism allegations (Log 584/585). Housing Ombudsman case 202507697 formally accepted as 'Severe Maladministration' investigation.

CLAIM E — DISCRIMINATION: ARTICLE 14 ECHR & EQUALITY ACT 2010

Pattern of Differential Treatment

Police arrested the claimant (a Black/Asian British man) based on unverified allegations by white neighbours, while closing the claimant's own reports of racial abuse and death threats without investigation. TVP deployed officers to escort Abri's housing officer to visit the neighbours (Log 268/304) while the claimant's harassment reports were marked NFA without victim notification (Log 287). MP Jack Rankin accepted the police narrative without question and labelled the claimant's reports 'vexatious' (Log 540/541). The TVP Subject Access Request response reveals a 30-year pattern of the claimant being logged as 'Suspect' immediately after reporting as 'Victim' (Log 688). This constitutes systemic indirect discrimination

contrary to the Equality Act 2010 and Article 14 combined with Article 3 ECHR (degrading treatment).

THE CORPORATE NULLITY SKELETON ARGUMENT

FOR THE HEARING ON 12 FEBRUARY 2026 AT OXFORD COUNTY COURT

Claim Reference: M02RG003 — Abri Group Limited v [Claimant]

Ground 1: The Claimant Entity Does Not Exist

The Claim Form names 'Abri Group Limited' as Claimant. Company No. 03482228, registered as 'Abri Group Limited', is recorded on Companies House as 'Converted / Closed' with effect from 15 January 2021. A company that has been converted or dissolved has no legal personality and cannot hold rights, bring proceedings, or obtain orders. This is not a technicality — it goes to the court's jurisdiction. A court cannot grant an injunction to an entity that does not exist in law. The authority of Lazard Bros & Co v Midland Bank Ltd [1933] AC 289 confirms this principle. The Claim Form is therefore a nullity ab initio.

Ground 2: The Registered Society Is a Different Entity

The operating entity is 'Abri Group' registered as Community Benefit Society No. RS008537. This is a different legal person with a different registration number, different statutory regime, and different governance structure. HHJ Davies in his refusal of permission (Log 1249) incorrectly conflated the dissolved company with the active society. The judge applied the wrong legal test by accepting that they are the same entity. The evidence before the court is a Company Number on the Claim Form (03482228) that refers to a dissolved company. This is not an irregularity under CPR 17 — it goes to capacity, which cannot be regularised by amendment when the named party has no legal existence.

Ground 3: Pre-Determination Vitiates the Order

In the alternative, even if capacity were found, the interim order of 19 November 2025 must be set aside. A letter from Abri's agent (Karolyn Barta) dated 18 November 2025 — one day before the hearing — stated the claimant was 'currently subject to contact restrictions.' No such restrictions existed at that date. This demonstrates that Abri (or their legal representatives) had foreknowledge of the order. Under Porter v Magill [2001] UKHL 67, apparent bias is established where a fair-minded and informed observer, having considered the facts, would conclude there was a real possibility of bias. The pre-cognitive letter meets this test.

Ground 4: Procedural Ambush — Late Service

Abri served a 160-page bundle on a Saturday night for a Wednesday hearing. DDJ Hutchin found this 'not acceptable' (Log 1190). The claimant had insufficient time to prepare a response to the full bundle. This constitutes a breach of CPR 39.5 and the overriding objective. The claimant is a litigant in person with documented disabilities. The procedural ambush caused disproportionate prejudice and constitutes an Equality Act 2010 breach (failure to make reasonable adjustments).

Relief Sought

(1) Strike out the proceedings as a nullity by reason of the Claimant's lack of legal capacity. (2) In the alternative, discharge the interim order on grounds of pre-determination and procedural ambush. (3) Award costs against the Respondent.